

# HOUSE BILL REPORT

## ESHB 1967

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### As Amended by the Senate

**Title:** An act relating to public transportation systems.

**Brief Description:** Concerning public transportation systems.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Fitzgibbon, Armstrong, Lias, Nealey, Clibborn, Billig, Frockt and Reykdal).

#### **Brief History:**

##### **Committee Activity:**

Transportation: 2/22/11, 2/24/11 [DPS].

##### **Floor Activity:**

Passed House: 3/5/11, 64-34.

Senate Amended.

Passed Senate: 4/9/11, 44-5.

#### **Brief Summary of Engrossed Substitute Bill**

- Modifies the due dates, and in some cases the subject matter, for various reports regarding public transportation systems.
- Requires that new state facilities be sited in areas adequately accessible by transit service.
- Requires the Secretary of the Washington State Department of Transportation (WSDOT) to designate an employee in each region to integrate public transportation into all planning activities and foster partnerships with public transportation providers, and to report to the Legislature biennially regarding progress in those areas.
- Requires the Office of Financial Management to work with various entities to establish objectives and performance measures regarding public transportation and to report to the Legislature biennially regarding progress in those areas.
- Recognizes the benefit of transit facilities and declares the intent of the Legislature that the WSDOT not charge airspace leases for certain transit facilities.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

- Modifies the definition of passenger intermodal facilities, in the list of transportation facilities and services of statewide significance, to include park and ride lots and transit centers.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Jinkins, Johnson, Klippert, Ladenburg, McCune, Moeller, Moscoso, Reykdal, Rivers, Rolfes, Ryu, Takko, Upthegrove and Zeiger.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Kristiansen, Overstreet and Shea.

**Staff:** David Munnecke (786-7315).

### **Background:**

Each April, transit agencies in Washington are required to submit six-year transit development plans for that year and the ensuing five years, as well as system reports identifying public transportation services provided in the previous year and objectives for improvements. Similar reports are due to the Federal Transit Administration in September of each year.

Based on information that is submitted in the system reports, the Washington State Department of Transportation (WSDOT) must prepare an annual report that summarizes individual public transportation systems. This report is due September 1 of each year to the Transportation committees of the Legislature and each state municipality.

Transit agencies own and maintain shelters and other amenities throughout their respective jurisdictions. Generally, when those facilities are located on the WSDOT property, the agency is charged annually for an airspace lease.

During 2010 the Joint Transportation Committee was directed to conduct a study to identify the state role in public transportation and to develop a statewide blueprint to guide public transportation investments. The ensuing report, titled *Identifying the State Role in Public Transportation*, made a number of recommendations relating to the state's role, that include:

- integrating public transportation into regional and statewide planning;
- developing and promoting policies to encourage the use of all public transportation modes;
- assessing the adequacy of funding sources and developing new funding strategies to address statewide concerns;
- aligning report and data collection to provide a comprehensive and useful picture of transit; and
- establishing a consistent set of measures to assess public transportation systems.

## **Summary of Engrossed Substitute Bill:**

The due date for both the six-year transit development plans and the system reports are changed from April 1 to September 1.

The due date for the annual summary report on the status of public transportation systems prepared by the WSDOT is changed from September 1 to December 1. The WSDOT is also required, if such information is available, to include information about other modes of public transportation, how those modes impact the transportation system, and how public transportation helps the state meet the transportation system policy goals.

New state facilities must be sited in areas that are adequately accessible by transit service.

The Secretary of the WSDOT is required to designate an employee in each region who would be responsible for integrating public transportation planning into state transportation activities and fostering greater partnerships between the state and public transportation service providers. The WSDOT is also required to include a section in its biennial report to the Governor and the Transportation committees of the Legislature regarding the integration of public transportation planning into state transportation activities and the fostering of greater partnerships between the state and public transportation service providers.

The Office of Financial Management is directed to collaborate with the WSDOT, the Washington State Transit Association, and state and local agencies to establish objectives and performance measures regarding public transportation and report on progress towards achieving them in its biennial attainment report.

The Legislature recognizes the benefit of transit facilities to motor vehicle traffic, in the form of more efficient utilization of the system and a reduction in congestion and hazardous driving conditions. The intent of the Legislature is stated that the WSDOT should not charge transit agencies airspace leases for transit facilities, which are defined as all benches, kiosks, lighting, waste receptacles, and shelters owned by public transportation systems.

The definition of passenger intermodal facilities, in the list of transportation facilities and services of statewide significance, is modified to include park and ride lots and transit centers.

## **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment: (1) removes the following requirements: (a) that the Secretary of the WSDOT designate an employee in each region who would be responsible for integrating public transportation planning into state transportation activities and fostering greater partnerships between the state and public transportation service providers; (b) that the WSDOT include a section in its biennial report to the Governor and the transportation committees of the Legislature regarding the integration of public transportation planning into state transportation activities and the fostering of greater partnerships between the state and public transportation service providers; and (c) that the Office of Financial Management establish objectives and performance measures regarding public transportation and report on progress towards achieving them in its biennial attainment report; (2) changes the

requirement that all new state facilities be sited in areas adequately accessible by transit service to instead require new state facilities in a jurisdiction with transit service to only be sited after consulting with the transit agency to ensure that the new facility is adequately accessible by transit service; (3) removes the intent language that directs the WSDOT not to charge transit agencies for the use of state right-of-way; and (4) removes the modification to the definition of major passenger intermodal terminals that included park and ride lots and transit centers.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The changes that are made to the reporting dates for public transportation providers are made to align the reporting dates, so that transit agencies can create just one report and thus avoid red tape, inconsistencies between the reports due to different reporting timeframes, and added costs. This is an idea that came out of the public transportation study conducted over the interim by the Joint Transportation Committee.

In Yakima a service center was built for people who should be served by transit service, but it was placed outside the transit service area entirely. The standard of "reasonably accessible" created by the bill would probably be within one-half mile of existing transit stops.

Bus stops on the WSDOT property are charged for airspace leases, and the amount can increase if the transit agency that built the bus stop places advertising on it. The idea behind the advertising is to cover the maintenance costs, rather than to allow the WSDOT to charge more for the leases.

(In support with concerns) The WSDOT is concerned about the language in the bill regarding the leases of property for transit stops and looks forward to working towards a resolution of these concerns.

(Opposed) None.

**Persons Testifying:** (In support) Representative Fitzgibbon, prime sponsor; Representative Liias; and Michael Shaw, Washington State Transit Association.

(In support with concerns) Cathy Silins, Washington State Department of Transportation.

**Persons Signed In To Testify But Not Testifying:** None.